

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AURA ROSSI,

Plaintiff,

v.

CITY OF LAKEWOOD, et al,

Defendants.

LAKEWOOD FIRE DEPARTMENT, et al,

Third-Party Plaintiffs,

v.

CITY OF LAKEWOOD, a municipal
corporation of the State of Washington,

Third-Party Defendant.

Case No. C07-5411

ORDER DENYING LAKEWOOD FIRE
DEPARTMENT, KARL ROTH, TED
THOMPSON, AND PAUL WEBB'S
MOTION TO DISMISS FOR FAILURE
TO JOIN THE STATE OF
WASHINGTON AS AN
INDISPENSABLE PARTY

THIS MATTER comes before the Court on the motion [Dkt. #43] of Defendant Lakewood Fire Department ("LFD"), Karl Roth, Ted Thompson, and Paul Webb to Dismiss this matter for failure to join the State of Washington and its agency, the Department of Social and Health Services ("DSHS"), as an indispensable party under Rule 12(b)(7) and Rule 19. The Court has reviewed the materials supporting and opposing the motion and has determined that the State of Washington is not an indispensable party.

NOW, THEREFORE, it is hereby ORDERED as follows:

1 That the motion of defendants Lakewood Fire Department, Karl Roth, Ted Thompson and Paul
2 Webb [Dkt. #43] to Dismiss this matter for failure to join the State of Washington and its agency, the
3 Department of Social and Health Services ("DSHS"), as an indispensable party under Rule 12(b)(7) and
4 Rule 19 is **DENIED**.

5 **IT IS SO ORDERED.**

6 Dated this 29th day of February, 2008.

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10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE
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